

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1235 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 6-1.1-18-3, AS AMENDED BY P.L.273-1999,
- 4 SECTION 53 (CURRENT VERSION), IS AMENDED TO READ AS
- 5 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 3. (a) Except as
- 6 provided in subsection (b), the sum of all tax rates for all political
- 7 subdivisions imposed on tangible property within a political
- 8 subdivision may not exceed:
- 9 (1) one dollar and twenty-five cents (\$1.25) on each one hundred
- 10 dollars (\$100) of assessed valuation in territory outside the
- 11 corporate limits of a city or town; or
- 12 (2) two dollars (\$2) on each one hundred dollars (\$100) of
- 13 assessed valuation in territory inside the corporate limits of a city
- 14 or town.
- 15 (b) The proper officers of a political subdivision shall fix tax rates
- 16 which are sufficient to provide funds for the purposes itemized in this
- 17 subsection. The portion of a tax rate fixed by a political subdivision
- 18 shall not be considered in computing the tax rate limits prescribed in
- 19 subsection (a) if that portion is to be used for one (1) of the following
- 20 purposes:
- 21 (1) To pay the principal or interest on a funding, refunding, or
- 22 judgment funding obligation of the political subdivision.
- 23 (2) To pay the principal or interest on an outstanding obligation
- 24 issued by the political subdivision if notice of the sale of the

obligation was published before March 9, 1937.

(3) To pay the principal or interest upon:

(A) an obligation issued by the political subdivision to meet an emergency which results from a flood, fire, pestilence, war, or any other major disaster; or

(B) a note issued under IC 36-2-6-18, IC 36-3-4-22, IC 36-4-6-20, or IC 36-5-2-11 to enable a city, town, or county to acquire necessary equipment or facilities for municipal or county government.

(4) To pay the principal or interest upon an obligation issued in the manner provided in IC 6-1.1-20-3 (before its repeal) or IC 6-1.1-20-3.1 through IC 6-1.1-20-3.2.

(5) To pay a judgment rendered against the political subdivision.

~~(6) To meet the requirements of the family and children's fund for child services (as defined in IC 12-19-7-1).~~

~~(7)~~ (6) To meet the requirements of the county hospital care for the indigent fund.

(c) Except as otherwise provided in IC 6-1.1-19 or IC 6-1.1-18.5, a county board of tax adjustment, a county auditor, or the state board of tax commissioners may review the portion of a tax rate described in subsection (b) only to determine if it exceeds the portion actually needed to provide for one (1) of the purposes itemized in that subsection.

SECTION 2. IC 6-1.1-18-3, AS AMENDED BY P.L.273-1999, SECTION 54 (DELAYED VERSION), IS AMENDED TO READ AS FOLLOWS [EFFECTIVE MARCH 1, 2001]: Sec. 3. (a) Except as provided in subsection (b), the sum of all tax rates for all political subdivisions imposed on tangible property within a political subdivision may not exceed:

(1) forty-one and sixty-seven hundredths cents (\$0.4167) on each one hundred dollars (\$100) of assessed valuation in territory outside the corporate limits of a city or town; or

(2) sixty-six and sixty-seven hundredths cents (\$0.6667) on each one hundred dollars (\$100) of assessed valuation in territory inside the corporate limits of a city or town.

(b) The proper officers of a political subdivision shall fix tax rates which are sufficient to provide funds for the purposes itemized in this subsection. The portion of a tax rate fixed by a political subdivision shall not be considered in computing the tax rate limits prescribed in subsection (a) if that portion is to be used for one (1) of the following purposes:

(1) To pay the principal or interest on a funding, refunding, or judgment funding obligation of the political subdivision.

(2) To pay the principal or interest on an outstanding obligation issued by the political subdivision if notice of the sale of the obligation was published before March 9, 1937.

(3) To pay the principal or interest upon:

(A) an obligation issued by the political subdivision to meet an emergency which results from a flood, fire, pestilence, war, or any other major disaster; or

(B) a note issued under IC 36-2-6-18, IC 36-3-4-22, IC 36-4-6-20, or IC 36-5-2-11 to enable a city, town, or county to acquire necessary equipment or facilities for municipal or county government.

(4) To pay the principal or interest upon an obligation issued in the manner provided in IC 6-1.1-20-3 (before its repeal) or IC 6-1.1-20-3.1 through IC 6-1.1-20-3.2.

(5) To pay a judgment rendered against the political subdivision.

~~(6) To meet the requirements of the family and children's fund for child services (as defined in IC 12-19-7-1).~~

~~(7)~~ (6) To meet the requirements of the county hospital care for the indigent fund.

(c) Except as otherwise provided in IC 6-1.1-19 or IC 6-1.1-18.5, a county board of tax adjustment, a county auditor, or the state board of tax commissioners may review the portion of a tax rate described in subsection (b) only to determine if it exceeds the portion actually needed to provide for one (1) of the purposes itemized in that subsection.

SECTION 3. IC 6-1.1-18.5-9.7, AS AMENDED BY P.L.273-1999, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 9.7. (a) The ad valorem property tax levy limits imposed by section 3 of this chapter do not apply to ad valorem property taxes imposed under: ~~any of the following~~:

(1) IC 12-16, except IC 12-16-1; ~~or~~

~~(2) IC 12-19-5.~~

~~(3) IC 12-19-7.~~

~~(4)~~ (2) IC 12-20-24.

(b) For purposes of computing the ad valorem property tax levy limits imposed under section 3 of this chapter, a county's or township's ad valorem property tax levy for a particular calendar year does not include that part of the levy imposed under the citations listed in subsection (a).

(c) Section 8(b) of this chapter does not apply to bonded indebtedness that will be repaid through property taxes imposed under IC 12-19."

Page 3, between lines 28 and 29, begin a new paragraph and insert:
"SECTION 5. IC 6-1.1-21-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 2. As used in this chapter:

(a) "Taxpayer" means a person who is liable for taxes on property assessed under this article.

(b) "Taxes" means taxes payable in respect to property assessed

under this article. The term does not include special assessments, penalties, or interest, but does include any special charges which a county treasurer combines with all other taxes in the preparation and delivery of the tax statements required under IC 6-1.1-22-8(a).

(c) "Department" means the department of state revenue.

(d) "Auditor's abstract" means the annual report prepared by each county auditor which under IC 6-1.1-22-5, is to be filed on or before March 1 of each year with the auditor of state.

(e) "Mobile home assessments" means the assessments of mobile homes made under IC 6-1.1-7.

(f) "Postabstract adjustments" means adjustments in taxes made subsequent to the filing of an auditor's abstract which change assessments therein or add assessments of omitted property affecting taxes for such assessment year.

(g) "Total county tax levy" means the sum of:

(1) the remainder of:

(A) the aggregate levy of all taxes for all taxing units in a county which are to be paid in the county for a stated assessment year as reflected by the auditor's abstract for the assessment year, adjusted, however, for any postabstract adjustments which change the amount of the aggregate levy; minus

(B) the sum of any increases in property tax levies of taxing units of the county that result from appeals described in:

(i) IC 6-1.1-18.5-13(5) and IC 6-1.1-18.5-13(6) filed after December 31, 1982; plus

(ii) the sum of any increases in property tax levies of taxing units of the county that result from any other appeals described in IC 6-1.1-18.5-13 filed after December 31, 1983; plus

~~(iii) IC 6-1.1-18.6-3 (children in need of services and delinquent children who are wards of the county);~~ minus

(C) the total amount of property taxes imposed for the stated assessment year by the taxing units of the county under the authority of ~~IC 12-1-11.5 (repealed)~~, IC 12-2-4.5 (repealed), IC 12-19-5 (**before its repeal**), or IC 12-20-24; minus

(D) the total amount of property taxes to be paid during the stated assessment year that will be used to pay for interest or principal due on debt that:

(i) is entered into after December 31, 1983;

(ii) is not debt that is issued under IC 5-1-5 to refund debt incurred before January 1, 1984; and

(iii) does not constitute debt entered into for the purpose of building, repairing, or altering school buildings for which the requirements of IC 20-5-52 were satisfied prior to January 1, 1984; minus

(E) the amount of property taxes imposed in the county for the stated assessment year under the authority of IC 21-2-6 or any citation listed in IC 6-1.1-18.5-9.8 for a cumulative building fund whose property tax rate was initially established or reestablished for a stated assessment year that succeeds the 1983 stated assessment year; minus

(F) the remainder of:

(i) the total property taxes imposed in the county for the stated assessment year under authority of IC 21-2-6 **(repealed)** or any citation listed in IC 6-1.1-18.5-9.8 for a cumulative building fund whose property tax rate was not initially established or reestablished for a stated assessment year that succeeds the 1983 stated assessment year; minus

(ii) the total property taxes imposed in the county for the 1984 stated assessment year under the authority of IC 21-2-6 or any citation listed in IC 6-1.1-18.5-9.8 for a cumulative building fund whose property tax rate was not initially established or reestablished for a stated assessment year that succeeds the 1983 stated assessment year; minus

(G) the amount of property taxes imposed in the county for the stated assessment year under:

(i) IC 21-2-15 for a capital projects fund; plus

(ii) IC 6-1.1-19-10 for a racial balance fund; plus

(iii) IC 20-14-13 for a library capital projects fund; plus

(iv) IC 20-5-17.5-3 for an art association fund; plus

(v) IC 21-2-17 for a special education preschool fund; plus

(vi) an appeal filed under IC 6-1.1-19-5.1 for an increase in a school corporation's maximum permissible general fund levy for certain transfer tuition costs; plus

(vii) an appeal filed under IC 6-1.1-19-5.4 for an increase in a school corporation's maximum permissible general fund levy for transportation operating costs; minus

(H) the amount of property taxes imposed by a school corporation that is attributable to the passage, after 1983, of a referendum for an excessive tax levy under IC 6-1.1-19, including any increases in these property taxes that are attributable to the adjustment set forth in ~~IC 6-1.1-19-1.5(a)~~ **STEP ONE** or any other law; minus

(I) for each township in the county, the lesser of:

(i) the sum of the amount determined in IC 6-1.1-18.5-19(a) **STEP THREE** or IC 6-1.1-18.5-19(b) **STEP THREE**, whichever is applicable, plus the part, if any, of the township's ad valorem property tax levy for calendar year 1989 that represents increases in that levy that resulted from an appeal described in IC 6-1.1-18.5-13(5) filed after December 31, 1982; or

- 1 (ii) the amount of property taxes imposed in the township for
 2 the stated assessment year under the authority of
 3 IC 36-8-13-4; minus
 4 (J) for each participating unit in a fire protection territory
 5 established under IC 36-8-19-1, the amount of property taxes
 6 levied by each participating unit under IC 36-8-19-8 and
 7 IC 36-8-19-8.5 less the maximum levy limit for each of the
 8 participating units that would have otherwise been available
 9 for fire protection services under IC 6-1.1-18.5-3 and
 10 IC 6-1.1-18.5-19 for that same year; ~~minus~~
 11 ~~(K) for each county; the sum of:~~
 12 ~~(i) the amount of property taxes imposed in the county for~~
 13 ~~the repayment of loans under IC 12-19-5-6 that is included~~
 14 ~~in the amount determined under IC 12-19-7-4(a) STEP~~
 15 ~~SEVEN for property taxes payable in 1995; or for property~~
 16 ~~taxes payable in each year after 1995; the amount~~
 17 ~~determined under IC 12-19-7-4(b); and~~
 18 ~~(ii) the amount of property taxes imposed in the county~~
 19 ~~attributable to appeals granted under IC 6-1.1-18.6-3 that is~~
 20 ~~included in the amount determined under IC 12-19-7-4(a)~~
 21 ~~STEP SEVEN for property taxes payable in 1995; or the~~
 22 ~~amount determined under IC 12-19-7-4(b) for property~~
 23 ~~taxes payable in each year after 1995; plus~~
 24 (2) all taxes to be paid in the county in respect to mobile home
 25 assessments currently assessed for the year in which the taxes
 26 stated in the abstract are to be paid; plus
 27 (3) the amounts, if any, of county adjusted gross income taxes that
 28 were applied by the taxing units in the county as property tax
 29 replacement credits to reduce the individual levies of the taxing
 30 units for the assessment year, as provided in IC 6-3.5-1.1; plus
 31 (4) the amounts, if any, by which the maximum permissible ad
 32 valorem property tax levies of the taxing units of the county were
 33 reduced under IC 6-1.1-18.5-3(b) STEP EIGHT for the stated
 34 assessment year; plus
 35 (5) the difference between:
 36 (A) the amount determined in IC 6-1.1-18.5-3(e) STEP FOUR;
 37 minus
 38 (B) the amount the civil taxing units' levies were increased
 39 because of the reduction in the civil taxing units' base year
 40 certified shares under IC 6-1.1-18.5-3(e).
 41 (h) "December settlement sheet" means the certificate of settlement
 42 filed by the county auditor with the auditor of state, as required under
 43 IC 6-1.1-27-3.
 44 (i) "Tax duplicate" means the roll of property taxes which each
 45 county auditor is required to prepare on or before March 1 of each year
 46 under IC 6-1.1-22-3.

SECTION 6. IC 6-1.1-29-9, AS AMENDED BY P.L.273-1999, SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 9. (a) A county council may adopt an ordinance to abolish the county board of tax adjustment. This ordinance must be adopted by July 1 and may not be rescinded in the year it is adopted. Notwithstanding IC 6-1.1-17, IC 6-1.1-18, IC 6-1.1-19, ~~IC 12-19-7~~, IC 21-2-14, IC 36-8-6, IC 36-8-7, IC 36-8-7.5, IC 36-8-11, IC 36-9-3, IC 36-9-4, and IC 36-9-13, if such an ordinance is adopted, this section governs the treatment of tax rates, tax levies, and budgets that would otherwise be reviewed by a county board of tax adjustment under IC 6-1.1-17.

(b) The time requirements set forth in IC 6-1.1-17 govern all filings and notices.

(c) A tax rate, tax levy, or budget that otherwise would be reviewed by the county board of tax adjustment is considered and must be treated for all purposes as if the county board of tax adjustment approved the tax rate, tax levy, or budget. This includes the notice of tax rates that is required under IC 6-1.1-17-12.

SECTION 7. IC 6-3.5-1.1-15, AS AMENDED BY P.L.273-1999, SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 15. (a) As used in this section, "attributed levy" of a civil taxing unit means the sum of:

(1) the ad valorem property tax levy of the civil taxing unit that is currently being collected at the time the allocation is made; plus

(2) the current ad valorem property tax levy of any special taxing district, authority, board, or other entity formed to discharge governmental services or functions on behalf of or ordinarily attributable to the civil taxing unit; plus

(3) the amount of federal revenue sharing funds and certified shares that were used by the civil taxing unit (or any special taxing district, authority, board, or other entity formed to discharge governmental services or functions on behalf of or ordinarily attributable to the civil taxing unit) to reduce its ad valorem property tax levies below the limits imposed by IC 6-1.1-18.5; plus

(4) in the case of a county, an amount equal to the property taxes imposed by the county in 1999 for the county's welfare fund and welfare administration fund; **plus**

(5) in the case of a county, an amount equal to the property taxes imposed by the county in 2000 for the county's family and children's fund.

(b) The part of a county's certified distribution that is to be used as certified shares shall be allocated only among the county's civil taxing units. Each civil taxing unit of a county is entitled to receive a percentage of the certified shares to be distributed in the county equal to the ratio of its attributed levy to the total attributed levies of all civil

1 taxing units of the county.

2 (c) The local government tax control board established by
3 IC 6-1.1-18.5-11 shall determine the attributed levies of civil taxing
4 units that are entitled to receive certified shares during a calendar year.
5 If the ad valorem property tax levy of any special taxing district,
6 authority, board, or other entity is attributed to another civil taxing unit
7 under subsection (b)(2), then the special taxing district, authority,
8 board, or other entity shall not be treated as having an attributed levy
9 of its own. The local government tax control board shall certify the
10 attributed levy amounts to the appropriate county auditor. The county
11 auditor shall then allocate the certified shares among the civil taxing
12 units of his county.

13 (d) Certified shares received by a civil taxing unit shall be treated
14 as additional revenue for the purpose of fixing its budget for the
15 calendar year during which the certified shares will be received. The
16 certified shares may be allocated to or appropriated for any purpose,
17 including property tax relief or a transfer of funds to another civil
18 taxing unit whose levy was attributed to the civil taxing unit in the
19 determination of its attributed levy.

20 SECTION 8. IC 6-3.5-6-17.6, AS AMENDED BY P.L.273-1999,
21 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JANUARY 1, 2001]: Sec. 17.6. (a) This section applies to a county
23 containing a consolidated city.

24 (b) On or before July 15 of each year, the budget agency shall make
25 the following calculation:

26 STEP ONE: Determine the cumulative balance in a county's
27 account established under section 16 of this chapter as of the end
28 of the current calendar year.

29 STEP TWO: Divide the amount estimated under section 17(b) of
30 this chapter before any adjustments are made under section 17(c)
31 or 17(d) of this chapter by twelve (12).

32 STEP THREE: Multiply the STEP TWO amount by three (3).

33 STEP FOUR: Subtract the amount determined in STEP THREE
34 from the amount determined in STEP ONE.

35 (c) For 1995, the budget agency shall certify the STEP FOUR
36 amount to the county auditor on or before July 15, 1994. Not later than
37 January 31, 1995, the auditor of state shall distribute the STEP FOUR
38 amount to the county auditor to be used to retire outstanding
39 obligations for a qualified economic development tax project (as
40 defined in IC 36-7-27-9).

41 (d) After 1995, the STEP FOUR amount shall be distributed to the
42 county auditor in January of the ensuing calendar year. The STEP
43 FOUR amount shall be distributed by the county auditor to the civil
44 taxing units within thirty (30) days after the county auditor receives the
45 distribution. Each civil taxing unit's share equals the STEP FOUR
46 amount multiplied by the quotient of:

(1) the maximum permissible property tax levy under IC 6-1.1-18.5 for the civil taxing unit, plus, for a county, an amount equal to the property taxes imposed by the county in 1999 for the county's welfare administration fund **and an amount equal to the property taxes imposed by the county in 2000 for the county's family and children's fund**; divided by

(2) the sum of the maximum permissible property tax levies under IC 6-1.1-18.5 for all civil taxing units of the county, plus an amount equal to the property taxes imposed by the county in 1999 for the county's welfare administration fund **and an amount equal to the property taxes imposed by the county in 2000 for the county's family and children's fund**.

SECTION 9. IC 6-3.5-6-18, AS AMENDED BY P.L.273-1999, SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 18. (a) The revenue a county auditor receives under this chapter shall be used to:

- (1) replace the amount, if any, of property tax revenue lost due to the allowance of an increased homestead credit within the county;
- (2) fund the operation of a public communications system and computer facilities district as provided in an election, if any, made by the county fiscal body under IC 36-8-15-19(b);
- (3) fund the operation of a public transportation corporation as provided in an election, if any, made by the county fiscal body under IC 36-9-4-42;
- (4) make payments permitted under IC 36-7-15.1-17.5;
- (5) make payments permitted under subsection ~~(f)~~; **(i)**; and
- (6) make distributions of distributive shares to the civil taxing units of a county.

(b) The county auditor shall retain from the payments of the county's certified distribution, an amount equal to the revenue lost, if any, due to the increase of the homestead credit within the county. This money shall be distributed to the civil taxing units and school corporations of the county as though they were property tax collections and in such a manner that no civil taxing unit or school corporation shall suffer a net revenue loss due to the allowance of an increased homestead credit.

(c) The county auditor shall retain the amount, if any, specified by the county fiscal body for a particular calendar year under subsection ~~(f)~~; **(i)**, IC 36-7-15.1-17.5, IC 36-8-15-19(b), and IC 36-9-4-42 from the county's certified distribution for that same calendar year. The county auditor shall distribute amounts retained under this subsection to the county.

(d) All certified distribution revenues that are not retained and distributed under subsections (b) and (c) shall be distributed to the civil taxing units of the county as distributive shares.

(e) The amount of distributive shares that each civil taxing unit in a county is entitled to receive during a month equals the product of the

1 following:

2 (1) The amount of revenue that is to be distributed as distributive
3 shares during that month; multiplied by

4 (2) A fraction. The numerator of the fraction equals the total
5 property taxes that are first due and payable to the civil taxing
6 unit during the calendar year in which the month falls, plus, for a
7 county, an amount equal to the property taxes imposed by the
8 county in 1999 for the county's welfare fund and welfare
9 administration fund **and an amount equal to the property taxes**
10 **imposed by the county in 2000 for the county's family and**
11 **children's fund.** The denominator of the fraction equals the sum
12 of the total property taxes that are first due and payable to all civil
13 taxing units of the county during the calendar year in which the
14 month falls, plus an amount equal to the property taxes imposed
15 by the county in 1999 for the county's welfare fund and welfare
16 administration fund **and an amount equal to the property taxes**
17 **imposed by the county in 2000 for the county's family and**
18 **children's fund.**

19 (f) The state board of tax commissioners shall provide each county
20 auditor with the fractional amount of distributive shares that each civil
21 taxing unit in the auditor's county is entitled to receive monthly under
22 this section.

23 (g) Notwithstanding subsection (e), if a civil taxing unit of an
24 adopting county does not impose a property tax levy that is first due
25 and payable in a calendar year in which distributive shares are being
26 distributed under this section, that civil taxing unit is entitled to receive
27 a part of the revenue to be distributed as distributive shares under this
28 section within the county. The fractional amount such a civil taxing
29 unit is entitled to receive each month during that calendar year equals
30 the product of the following:

31 (1) The amount to be distributed as distributive shares during that
32 month; multiplied by

33 (2) A fraction. The numerator of the fraction equals the budget of
34 that civil taxing unit for that calendar year. The denominator of
35 the fraction equals the aggregate budgets of all civil taxing units
36 of that county for that calendar year.

37 (h) If for a calendar year a civil taxing unit is allocated a part of a
38 county's distributive shares by subsection (g), then the formula used in
39 subsection (e) to determine all other civil taxing units' distributive
40 shares shall be changed each month for that same year by reducing the
41 amount to be distributed as distributive shares under subsection (e) by
42 the amount of distributive shares allocated under subsection (g) for that
43 same month. The state board of tax commissioners shall make any
44 adjustments required by this subsection and provide them to the
45 appropriate county auditors.

46 (⊕) (i) Notwithstanding any other law, a county fiscal body may

pledge revenues received under this chapter to the payment of bonds or lease rentals to finance a qualified economic development tax project under IC 36-7-27 in that county or in any other county if the county fiscal body determines that the project will promote significant opportunities for the gainful employment or retention of employment of the county's residents.

SECTION 10. IC 6-3.5-6-18.5, AS AMENDED BY P.L.273-1999, SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 18.5. (a) This section applies to a county containing a consolidated city.

(b) Notwithstanding section 18(e) of this chapter, the distributive shares that each civil taxing unit in a county containing a consolidated city is entitled to receive during a month equals the following:

(1) For the calendar year beginning January 1, 1995, calculate the total amount of revenues that are to be distributed as distributive shares during that month multiplied by the following factor:

Center Township	.0251
Decatur Township	.00217
Franklin Township	.0023
Lawrence Township	.01177
Perry Township	.01130
Pike Township	.01865
Warren Township	.01359
Washington Township	.01346
Wayne Township	.01307
Lawrence-City	.00858
Beech Grove	.00845
Southport	.00025
Speedway	.00722
Indianapolis/Marion County	.86409

(2) Notwithstanding subdivision (1), for the calendar year beginning January 1, 1995, the distributive shares for each civil taxing unit in a county containing a consolidated city shall be not less than the following:

Center Township	\$1,898,145
Decatur Township	\$164,103
Franklin Township	\$173,934
Lawrence Township	\$890,086
Perry Township	\$854,544
Pike Township	\$1,410,375
Warren Township	\$1,027,721
Washington Township	\$1,017,890
Wayne Township	\$988,397
Lawrence-City	\$648,848
Beech Grove	\$639,017
Southport	\$18,906

Speedway \$546,000

(3) For each year after 1995, calculate the total amount of revenues that are to be distributed as distributive shares during that month as follows:

STEP ONE: Determine the total amount of revenues that were distributed as distributive shares during that month in calendar year 1995.

STEP TWO: Determine the total amount of revenue that the department has certified as distributive shares for that month under section 17 of this chapter for the calendar year.

STEP THREE: Subtract the STEP ONE result from the STEP TWO result.

STEP FOUR: If the STEP THREE result is less than or equal to zero (0), multiply the STEP TWO result by the ratio established under subdivision (1).

STEP FIVE: Determine the ratio of:

(A) the maximum permissible property tax levy under IC 6-1.1-18.5 ~~and IC 6-1.1-18.6~~ for each civil taxing unit for the calendar year in which the month falls, plus, for a county, an amount equal to the property taxes imposed by the county in 1999 for the county's welfare fund and welfare administration fund **plus the property taxes imposed by the county in 2000 for a county family and children's fund**; divided by

(B) the sum of the maximum permissible property tax levies under IC 6-1.1-18.5 ~~and IC 6-1.1-18.6~~ for all civil taxing units of the county during the calendar year in which the month falls, and an amount equal to the property taxes imposed by the county in 1999 for the county's welfare fund and welfare administration fund **plus the property taxes imposed by the county in 2000 for a county family and children's fund**.

STEP SIX: If the STEP THREE result is greater than zero (0), the STEP ONE amount shall be distributed by multiplying the STEP ONE amount by the ratio established under subdivision (1).

STEP SEVEN: For each taxing unit determine the STEP FIVE ratio multiplied by the STEP TWO amount.

STEP EIGHT: For each civil taxing unit determine the difference between the STEP SEVEN amount minus the product of the STEP ONE amount multiplied by the ratio established under subdivision (1). The STEP THREE excess shall be distributed as provided in STEP NINE only to the civil taxing units that have a STEP EIGHT difference greater than or equal to zero (0).

STEP NINE: For the civil taxing units qualifying for a distribution under STEP EIGHT, each civil taxing unit's share

1 equals the STEP THREE excess multiplied by the ratio of:

2 (A) the maximum permissible property tax levy under
 3 IC 6-1.1-18.5 ~~and IC 6-1.1-18.6~~ for the qualifying civil
 4 taxing unit during the calendar year in which the month
 5 falls, plus, for a county, an amount equal to the property
 6 taxes imposed by the county in 1999 for the county's welfare
 7 fund and welfare administration fund **plus the property**
 8 **taxes imposed by the county in 2000 for a county family**
 9 **and children's fund;** divided by

10 (B) the sum of the maximum permissible property tax levies under
 11 IC 6-1.1-18.5 ~~and IC 6-1.1-18.6~~ for all qualifying civil taxing units of
 12 the county during the calendar year in which the month falls, and an
 13 amount equal to the property taxes imposed by the county in 1999 for
 14 the county's welfare fund and welfare administration fund **plus the**
 15 **property taxes imposed by the county in 2000 for a county family**
 16 **and children's fund.**

17 SECTION 11. IC 6-3.5-7-12, AS AMENDED BY P.L.124-1999,
 18 SECTION 1, AND AS AMENDED BY P.L.273-1999, SECTION 74,
 19 IS AMENDED AND IS CORRECTED TO READ AS FOLLOWS
 20 [EFFECTIVE JANUARY 1, 2001]: Sec. 12. (a) Except as provided in
 21 section 23 of this chapter, the county auditor shall distribute in the
 22 manner specified in this section the certified distribution to the county.

23 (b) Except as provided in subsections (c) and (h) and section 15 of
 24 this chapter, the amount of the certified distribution that the county and
 25 each city or town in a county is entitled to receive during May and
 26 November of each year equals the product of the following:

27 (1) The amount of the certified distribution for that month;
 28 multiplied by

29 (2) A fraction. The numerator of the fraction equals the sum of the
 30 following:

31 (A) Total property taxes that are first due and payable to the
 32 county, city, or town during the calendar year in which the
 33 month falls; *plus*

34 (B) For a county, an amount equal to the property taxes
 35 imposed by the county in 1999 for the county's welfare fund
 36 and welfare administration fund **and an amount equal to the**
 37 **property taxes imposed by the county in 2000 for the**
 38 **county's family and children's fund.**

39 The denominator of the fraction equals the sum of the total
 40 property taxes that are first due and payable to the county and all
 41 cities and towns of the county during the calendar year in which
 42 the month falls, plus an amount equal to the property taxes
 43 imposed by the county in 1999 for the county's welfare fund and
 44 welfare administration fund **and an amount equal to the**
 45 **property taxes imposed by the county in 2000 for the county's**
 46 **family and children's fund.**

(c) This subsection applies to a county council or county income tax council that imposes a tax under this chapter after June 1, 1992. The body imposing the tax may adopt an ordinance before July 1 of a year to provide for the distribution of certified distributions under this subsection instead of a distribution under subsection (b). The following apply if an ordinance is adopted under this subsection:

(1) The ordinance is effective January 1 of the following year.

(2) The amount of the certified distribution that the county and each city and town in the county is entitled to receive during May and November of each year equals the product of:

(A) the amount of the certified distribution for the month; multiplied by

(B) a fraction. For a city or town, the numerator of the fraction equals the population of the city or the town. For a county, the numerator of the fraction equals the population of the part of the county that is not located in a city or town. The denominator of the fraction equals the sum of the population of all cities and towns located in the county and the population of the part of the county that is not located in a city or town.

(3) The ordinance may be made irrevocable for the duration of specified lease rental or debt service payments.

(d) The body imposing the tax may not adopt an ordinance under subsection (c) if, before the adoption of the proposed ordinance, any of the following have pledged the county economic development income tax for any purpose permitted by IC 5-1-14 or any other statute:

(1) The county.

(2) A city or town in the county.

(3) A commission, a board, a department, or an authority that is authorized by statute to pledge the county economic development income tax.

(e) The state board of tax commissioners shall provide each county auditor with the fractional amount of the certified distribution that the county and each city or town in the county is entitled to receive under this section.

(f) Money received by a county, city, or town under this section shall be deposited in the unit's economic development income tax fund.

(g) Except as provided in subsection (b)(2)(B), in determining the fractional amount of the certified distribution the county and its cities and towns are entitled to receive under subsection (b) during a calendar year, the state board of tax commissioners shall consider only property taxes imposed on tangible property subject to assessment in that county.

(h) In a county having a consolidated city, only the consolidated city is entitled to the certified distribution, subject to the requirements of section 15 of this chapter.

SECTION 12. IC 12-7-2-45 IS AMENDED TO READ AS

1 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 45. "County
2 office" refers to a county office of family and children **within the**
3 **division of family and children.**

4 SECTION 13. IC 12-13-5-5, AS AMENDED BY P.L.273-1999,
5 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JANUARY 1, 2001]: Sec. 5. (a) Each county auditor shall keep records
7 and make reports relating to the county welfare fund (before July 1,
8 2001), the family and children's fund (**before July 1, 2002**), and other
9 financial transactions as required under IC 12-13 through IC 12-19 and
10 as required by the division.

11 (b) All records provided for in IC 12-13 through IC 12-19 shall be
12 kept, prepared, and submitted in the form required by the division and
13 the state board of accounts.

14 SECTION 14. IC 12-17-3-2 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 2. (a) This section
16 does not apply to a county department's:

- 17 (1) administrative expenses; or
- 18 (2) expenses regarding facilities, supplies, and equipment.

19 (b) Necessary expenses incurred in the administration of the child
20 welfare services under section 1 of this chapter shall be paid out of the
21 ~~county welfare fund or the~~ county family and children's fund.
22 (~~whichever is appropriate~~).

23 SECTION 15. IC 12-19-1-21, AS ADDED BY P.L.273-1999,
24 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JANUARY 1, 2001]: Sec. 21. (a) Notwithstanding any other law, after
26 December 31, 1999, a county may not impose any of the following:

- 27 (1) A property tax levy for a county welfare fund.
- 28 (2) A property tax levy for a county welfare administration fund.

29 **(b) Notwithstanding any other law, after December 31, 2000, a**
30 **county may not impose a property tax levy for a county family and**
31 **children's fund.**

32 SECTION 16. IC 12-19-1-22, AS ADDED BY P.L.273-1999,
33 SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JANUARY 1, 2001]: Sec. 22. (a) All bonds issued and loans made
35 under IC 12-1-11 (before its repeal) or this article:

- 36 (1) before January 1, 2000, that are payable from property taxes
37 imposed under IC 12-19-3 (before its repeal); **or**
- 38 **(2) before January 1, 2001, that were payable from property**
39 **taxes imposed under IC 12-19-7-3 (before the elimination of**
40 **authority to impose a property tax levy under IC 12-9-7-3);**

41 ~~(1)~~ are direct general obligations of the county issuing the bonds or
42 making the loans and ~~(2)~~ are payable out of unlimited ad valorem taxes
43 that shall be levied and collected on all taxable property within the
44 county.

45 (b) Each official and body responsible for the levying of taxes for
46 the county must ensure that sufficient levies are made to meet the

principal and interest on the bonds and loans at the time fixed for the payment of the principal and interest, without regard to any other statute. If an official or a body fails or refuses to make or allow a sufficient levy required by this section, the bonds and loans and the interest on the bonds and loans shall be payable out of the county general fund without appropriation.

SECTION 17. IC 12-19-1.5-6, AS ADDED BY P.L.273-1999, SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 6. As used in this chapter, "replacement amount" means the sum of:

(1) the property taxes imposed on the assessed value of property in the allocation area in excess of the base assessed value in 1999 for:

~~(1) (A)~~ the county welfare fund; and

~~(2) (B)~~ the county welfare administration fund; **and**

(2) the property taxes imposed on the assessed value of property in the allocation area in excess of the base assessed value in 2000 for the county family and children's fund.

SECTION 18. IC 12-19-1.5-8, AS ADDED BY P.L.273-1999, SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 8. (a) This chapter applies to an allocation area:

(1) in which:

~~(1) (A)~~ the holders of obligations received a pledge before July 1, 1999, of tax increment revenues to repay any part of the obligations due after December 31, 1999; and

~~(2) (B)~~ the elimination of a county welfare fund property tax levy or a county welfare administration fund property tax levy adversely affects the ability of the governing body to repay the obligations described in ~~subdivision (1):~~ **clause (A); or**

(2) in which:

(A) the holders of obligations received a pledge before July 1, 2000, of tax increment revenues to repay any part of the obligations due after December 31, 2000; and

(B) the elimination of a county family and children's fund property tax levy adversely affects the ability of the governing body to repay the obligations described in clause (A).

(b) A governing body may use one (1) or more of the procedures described in sections 9 through 11 of this chapter to provide sufficient funds to repay the obligations described in subsection (a). The amount raised each year may not exceed the replacement amount.

SECTION 19. IC 12-19-1.5-9, AS ADDED BY P.L.273-1999, SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 9. (a) A governing body may, after a public hearing, impose a special assessment on the owners of property that is located in an allocation area to repay:

1 (1) a bond or an obligation described in ~~section 8~~ **section 8(a)(1)**
 2 of this chapter that comes due after December 31, 1999; **or**
 3 **(2) a bond or an obligation described in section 8(a)(2) of this**
 4 **chapter that comes due after December 31, 2000.**

5 The amount of a special assessment for a taxpayer shall be determined
 6 by multiplying the replacement amount by a fraction, the denominator
 7 of which is the total incremental assessed value in the allocation area,
 8 and the numerator of which is the incremental assessed value of the
 9 taxpayer's property in the allocation area.

10 (b) Before a public hearing under subsection (a) may be held, the
 11 governing body must publish notice of the hearing under IC 5-3-1. The
 12 notice must state that the governing body will meet to consider whether
 13 a special assessment should be imposed under this chapter and whether
 14 the special assessment will help the governing body realize the
 15 redevelopment or economic development objectives for the allocation
 16 area or honor its obligations related to the allocation area. The notice
 17 must also name a date when the governing body will receive and hear
 18 remonstrances and objections from persons affected by the special
 19 assessment. All persons affected by the hearing, including all taxpayers
 20 within the allocation area, shall be considered notified of the pendency
 21 of the hearing and of subsequent acts, hearings, and orders of the
 22 governing body by the notice. At the hearing, which may be adjourned
 23 from time to time, the governing body shall hear all persons affected by
 24 the proceedings and shall consider all written remonstrances and
 25 objections that have been filed. The only grounds for remonstrance or
 26 objection are that the special assessment will not help the governing
 27 body realize the redevelopment or economic development objectives
 28 for the allocation area or honor its obligations related to the allocation
 29 area. After considering the evidence presented, the governing body
 30 shall take final action concerning the proposed special assessment. The
 31 final action taken by the governing body shall be recorded and is final
 32 and conclusive, except that an appeal may be taken in the manner
 33 prescribed by subsection (c).

34 (c) A person who filed a written remonstrance with a governing
 35 body under subsection (b) and is aggrieved by the final action taken
 36 may, within ten (10) days after that final action, file in the office of the
 37 clerk of the circuit or superior court a copy of the order of the
 38 governing body and the person's remonstrance or objection against that
 39 final action, together with a bond conditioned to pay the costs of appeal
 40 if the appeal is determined against the person. The only ground of
 41 remonstrance or objection that the court may hear is whether the
 42 proposed assessment will help achieve the redevelopment of economic
 43 development objectives for the allocation area or honor its obligations
 44 related to the allocation area. An appeal under this subsection shall be
 45 promptly heard by the court without a jury. All remonstrances or
 46 objections upon which an appeal has been taken must be consolidated,

1 heard, and determined within thirty (30) days after the time of the filing
 2 of the appeal. The court shall hear evidence on the remonstrances or
 3 objections, and may confirm the final action of the governing body or
 4 sustain the remonstrances or objections. The judgment of the court is
 5 final and conclusive, unless an appeal is taken as in other civil actions.

6 (d) The maximum amount of a special assessment under this section
 7 may not exceed the replacement amount.

8 (e) A special assessment shall be imposed and collected in the same
 9 manner as ad valorem property taxes are imposed and collected.

10 SECTION 20. IC 12-19-7-3 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 3. (a) A family
 12 and children's fund is established in each county. ~~The fund shall be~~
 13 ~~raised by a separate tax levy (the county family and children property~~
 14 ~~tax levy) that:~~

15 ~~(1) is in addition to all other tax levies authorized; and~~

16 ~~(2) shall be levied annually by the county fiscal body on all~~
 17 ~~taxable property in the county in the amount necessary to raise the~~
 18 ~~part of the fund that the county must raise to pay the items;~~
 19 ~~awards, claims, allowances, assistance, and other expenses set~~
 20 ~~forth in the annual budget under section 6 of this chapter.~~

21 (b) ~~The tax imposed under this section shall be collected as other~~
 22 ~~state and county ad valorem taxes are collected. Notwithstanding any~~
 23 ~~other law, after December 31, 2000, a county may not impose a~~
 24 ~~property tax levy for the family and children's fund.~~

25 (c) The following shall be paid into the county treasury and
 26 constitute the family and children's fund:

27 ~~(1) All receipts from the tax imposed under this section.~~

28 ~~(2) (1) All grants-in-aid; money allocated by the division to the~~
 29 ~~county whether received from the federal government or state~~
 30 ~~government.~~

31 ~~(3) (2) Any other money required by law to be placed in the fund.~~

32 (d) The fund is available for the purpose of paying expenses and
 33 obligations set forth in the annual budget that is submitted and
 34 approved.

35 SECTION 21. IC 12-19-7-6 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 6. (a) ~~The judges~~
 37 ~~of the courts with juvenile jurisdiction in the county shall annually~~
 38 ~~compile and submit a proposed budget for children served by the~~
 39 ~~probation department of the county. The judges shall submit the~~
 40 ~~proposed budget to the county director on forms prescribed by the~~
 41 ~~division, not later than March 1 of each year, for the next state~~
 42 ~~fiscal year.~~

43 (b) ~~The budget for children served by the probation department~~
 44 ~~shall contain an estimate of the amount of money that will be~~
 45 ~~needed by the county office during the state fiscal year to defray~~
 46 ~~the expenses and obligations of the fund in the payment of:~~

(1) services for children adjudicated to be delinquent or children for whom a program of informal adjustment has been implemented under IC 31-37; and

(2) other services related to the services described in subdivision (1);

but not including the payment of Title IV-A assistance.

(c) The county director ~~upon the advice of the judges of the courts with juvenile jurisdiction in the county;~~ shall annually compile and adopt a child services budget, which **must include the budget submitted by the judges under subsection (a). The budget submitted by the county director under this subsection** must be in a form prescribed by the ~~state board of accounts. The budget may not exceed the levy limitation set forth in IC 6-1.1-18.6: division.~~

~~(b)~~ (d) The **child services** budget must contain an estimate of the amount of money that will be needed by the county office during the **next state** fiscal year to defray the expenses and obligations incurred by the county office in the payment of services for children adjudicated to be children in need of services or delinquent children and other related services, **including amounts necessary to implement the county's early intervention plan approved under IC 31-34-24 and IC 31-37-24,** but not including the payment of ~~AFDC~~. **Title IV-A assistance.**

SECTION 22. IC 12-19-7-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 7. ~~(a) The county director shall, with the assistance of the judges of courts with juvenile jurisdiction in the county and at the same time the budget is compiled and adopted; recommend to the division the tax levy that the director and judges determine will be required to raise the amount of revenue necessary to pay the expenses and obligations of the county office set forth in the budget under section 6 of this chapter. However, the tax levy may not exceed the maximum permissible levy set forth in IC 6-1.1-18.6 and the budget may not exceed the levy limitation set forth in IC 6-1.1-18.~~

~~(b)~~ After the county budget has been compiled, the county director shall submit a copy of the budget ~~and the tax levy recommended by the county director; and the judges of courts with juvenile jurisdiction in the county;~~ to the division **not later than April 1.** The division shall examine the budget ~~and the tax levy~~ for the purpose of determining whether, in the judgment of the division,

~~(1)~~ the appropriations requested in the budget will be adequate to defray the expenses and obligations **that will be** incurred by the county office in the payment of child services for the next fiscal year. ~~and~~

~~(2)~~ the tax levy recommended will yield the amount of the appropriation set forth in the budget.

The budget submitted under this section is not subject to the

1 **provisions of IC 6-1.1-17 and IC 6-1.1-18.**

2 SECTION 23. IC 12-19-7-8 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 8. **(a)** The
4 division may do **any of** the following after examining a budget
5 submitted by the county ~~office~~: **director**:

6 (1) Increase or decrease the amount of the budget or an item of
7 the budget. ~~subject to the maximum levy set forth in~~
8 ~~IC 6-1.1-18.6.~~

9 (2) Approve the budget as compiled by the county director. ~~and~~
10 ~~judges of courts with juvenile jurisdiction in the county.~~

11 (3) Recommend the increase or decrease of the tax levy; subject
12 to the maximum levy set forth in ~~IC 6-1.1-18.6.~~

13 (4) Approve the tax levy as recommended by the county director
14 and judges of courts with juvenile jurisdiction in the county.

15 **(b) The total amount of all approved child services' budgets may**
16 **not exceed the total amount appropriated for child services for the**
17 **applicable state fiscal year.**

18 SECTION 24. IC 12-19-7-11 IS AMENDED TO READ AS
19 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 11. ~~In September~~
20 ~~of each year, at the time provided by law;~~ (a) The county fiscal body
21 shall ~~do the following~~:

22 ~~(1)~~ make the appropriations out of the family and children's fund
23 that are:

24 ~~(A)~~ **(1)** based on the budget as ~~submitted~~; **approved by the**
25 **division**; and

26 ~~(B)~~ **(2)** necessary to maintain the child services of the county
27 for the next **state** fiscal year. ~~subject to the maximum levy set~~
28 ~~forth in IC 6-1.1-18.6.~~

29 **(2)** Levy a tax in an amount necessary to produce the appropriated
30 money.

31 **(b) The division shall make advances to the county family and**
32 **children's fund to ensure that the amounts deposited in the county**
33 **family and children's fund are adequate to meet the expenses that**
34 **are to be paid from the fund. Amounts necessary to make the**
35 **advances under this subsection are appropriated from the state**
36 **general fund.**

37 **(c) The provisions of IC 6-1.1-18 concerning appropriations do**
38 **not apply to appropriations of money from a county family and**
39 **children's fund.**

40 **(d) Notwithstanding IC 36, a county is not required to publish**
41 **notice of any claim or allowance that will be paid from the county**
42 **family and children's fund.**

43 SECTION 25. IC 12-19-7-11.1 IS AMENDED TO READ AS
44 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 11.1. (a) The
45 judges of the courts with juvenile jurisdiction in the county and the
46 county director shall meet with the ~~county fiscal body~~ **county's child**

1 **protection team established under IC 31-33-3** at a public meeting
 2 ~~(1) in April; and~~
 3 ~~(2) after June 30 and before October 1;~~
 4 **in before April 1** of each year.

5 (b) At a meeting required in subsection (a), the county director **and**
 6 **judges with juvenile jurisdiction** shall present to the county fiscal
 7 **body and the judges** the following ~~reports:~~ **information:**

8 (1) Expenditures made

9 ~~(A) during the immediately preceding calendar quarter~~
 10 **current state fiscal year** from the family and children's fund
 11 in comparison to ~~one-fourth (1/4)~~ of the budget and
 12 appropriations approved by the county fiscal body **division** for
 13 the calendar year. ~~and~~

14 ~~(B) from the fund in the corresponding calendar quarter of~~
 15 ~~each of the two (2) preceding calendar years.~~

16 (2) Obligations incurred ~~through the end of the immediately~~
 17 **preceding calendar quarter during the current state fiscal year**
 18 that will be payable from the family and children's fund during the
 19 remainder of the ~~calendar~~ **current state fiscal** year. ~~or in any~~
 20 ~~subsequent calendar year.~~

21 (3) The number of children, by category, for whom the family and
 22 children's fund was required to provide funds for services during
 23 the ~~immediately preceding calendar quarter;~~ **current state fiscal**
 24 **year**, in comparison to ~~the corresponding calendar quarter of each~~
 25 of the two (2) ~~preceding calendar years~~ **preceding the current**
 26 **state fiscal year.**

27 (4) The number and type of out-of-home placements, by category,
 28 for which the family and children's fund was required to provide
 29 funds for foster home care or institutional placement, and the
 30 average daily, weekly or monthly cost of out of home placement
 31 care and services by category, during the ~~immediately preceding~~
 32 ~~calendar quarter;~~ **current state fiscal year**, in comparison to ~~the~~
 33 ~~corresponding calendar quarter of each of the two (2) preceding~~
 34 ~~calendar years~~ **preceding the current state fiscal year.**

35 (5) The number of children, by category, for whom the family and
 36 children's fund was required to provide funds for services for
 37 children residing with the child's parent, guardian or custodian
 38 (other than foster home or institutional placement), and the
 39 average monthly cost of those services, during the ~~immediately~~
 40 ~~preceding calendar quarter;~~ **current state fiscal year**, in
 41 comparison to ~~the corresponding calendar quarter for each of the~~
 42 two (2) ~~preceding calendar years~~ **preceding the current state**
 43 **fiscal year.**

44 (c) In preparing the ~~reports~~ **information** described in subsection (b),
 45 the county director **and judges** may use the best ~~information~~ **data**
 46 reasonably available from the records of the ~~courts,~~ the county office,

1 and the ~~county family and children's fund for calendar years before~~
 2 ~~1998: division.~~

3 (d) At ~~each the~~ meeting described in subsection (a), the ~~county~~
 4 ~~fiscal body~~, judges and county director may

5 ~~(1) discuss and suggest procedures to provide child welfare~~
 6 ~~services in the most effective and cost-efficient manner. and~~

7 ~~(2) consider actions needed, including revision of budgeting~~
 8 ~~procedures, to eliminate or minimize any anticipated need for~~
 9 ~~short term borrowing for the family and children's fund under any~~
 10 ~~provisions of this chapter or IC 12-19-5.~~

11 SECTION 26. IC 12-19-7-15 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 15. (a) If at any
 13 time the county director determines that the family and children's fund
 14 is exhausted or will be exhausted before the close of a **state** fiscal year,
 15 the county director shall prepare an estimate and statement showing the
 16 amount of money, in addition to the money already made available, that
 17 will be necessary to defray the expenses of the county office and pay
 18 the obligations of the county office, excluding administrative expenses
 19 and facilities, supplies, and equipment expenses for the county office,
 20 in the administration of the county office's activities for the unexpired
 21 part of the **state** fiscal year.

22 (b) The county director shall do the following:

23 (1) Certify the estimate and statement to the ~~county executive.~~
 24 **director.**

25 (2) File ~~the estimate and a~~ statement with the ~~county auditor.~~
 26 **director concerning:**

27 **(A) the reasons why the family and children's fund is**
 28 **exhausted or will be exhausted; and**

29 **(B) what actions have been taken by the county office to**
 30 **avoid the exhaustion of the fund.**

31 SECTION 27. IC 12-19-7-21.5 IS ADDED TO THE INDIANA
 32 CODE AS A NEW SECTION TO READ AS FOLLOWS
 33 [EFFECTIVE JANUARY 1, 2001]: **Sec. 21.5. Notwithstanding any**
 34 **other law, the state shall fund one hundred percent (100%) of the**
 35 **programs, services, and activities paid from county family and**
 36 **children's fund property tax levies before January 1, 2001.**

37 SECTION 28. IC 36-2-6-3 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 3. (a) This section
 39 does not apply to **the following:**

40 **(1) Claims for salaries fixed in a definite amount by ordinance or**
 41 **statute, per diem of jurors, and salaries of officers of a court.**

42 **(2) Claims that will be paid from a county family and**
 43 **children's fund.**

44 (b) The county auditor shall publish all claims that have been filed
 45 for the consideration of the county executive and shall publish all
 46 allowances made by courts of the county. Claims filed for the

consideration of the executive shall be published at least three (3) days before each session of the executive, and court allowances shall be published at least three (3) days before the issuance of warrants in payment of those allowances. In publication of itemized statements filed by assistant highway supervisors for consideration of the executive, the auditor shall publish the name of each party and the total amount due each party named in the itemized statements. Notice of claims filed for consideration of the county executive must state their amounts and to whom they are made. Claims and allowances subject to this section shall be published as prescribed by IC 5-3-1, except that only one (1) publication in two (2) newspapers is required.

(c) A member of the county executive who considers or allows a claim, or a county auditor who issues warrants in payment of allowances made by the county executive or a court of the county, before compliance with subsection (b), commits a Class C infraction.

(d) A county auditor shall publish one (1) time in accordance with IC 5-3-1 a notice of all allowances made by a circuit or superior court. The notice must be published within sixty (60) days after the allowances are made and must state their amount, to whom they are made, and for what purpose they are made.

SECTION 29. THE FOLLOWING ARE REPEALED [EFFECTIVE JANUARY 1, 2001]: IC 6-1.1-18.6; IC 12-19-5; IC 12-19-7-4; IC 12-19-7-5; IC 12-19-7-9; IC 12-19-7-10; IC 12-19-7-16; IC 12-19-7-17; IC 12-19-7-18; IC 12-19-7-19; IC 12-19-7-20; IC 12-19-7-21; IC 12-19-7-22; IC 12-19-7-23; IC 12-19-7-24; IC 12-19-7-25; IC 12-19-7-26; IC 12-19-7-27; IC 12-19-7-28; IC 12-19-7-29; IC 12-19-7-30; IC 12-19-7-31; IC 12-19-7-32; IC 12-19-7-33.

SECTION 30. [EFFECTIVE JULY 1, 2000] (a) **The division of family and children shall conduct a hearing on the claims payment process for county family and children's funds.**

(b) **The division shall submit a report to the governor and the legislative council before January 1, 2001. The report must include a recommendation concerning whether the payment of claims for children's services is to be performed in a centralized or**

decentralized manner.

(c) This SECTION expires January 1, 2003."

Renumber all SECTIONS consecutively.

(Reference is to HB 1235 as printed January 27, 2000.)

Representative Dumezich